

REMARKS

Claims 1, 2 and 8-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. US 6,929,857. The Examiner states that Watanabe et al. disclose a rubber composition based on vulcanized rubber latex ingredients. The Examiner points to the suggestion of vulcanizing agents as support for this position. The Applicant traverses this rejection as follows.

Watanabe et al. fail to teach all elements of the current claims, in particular the limitation that the rubber latex is vulcanized. Watanabe et al. disclose a reinforcing glass fiber coated with a composition comprising a latex. However, the latex in Watanabe et al. is either self-crosslinking (column 3, lines 33-37) or may include a vulcanizing agent (column 3, line 51). In either case, the latex of Watanabe et al. is not a vulcanized rubber latex, merely a vulcanizable latex. Vulcanization, or crosslinking, *in situ* on the glass fiber appears to be a key principle of operation of the Watanabe et al. reinforcing fiber. In contrast, the invention of the current claims uses a different principle of operation in that the latex is already vulcanized. If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

Moreover, the cited art does not appear to provide any suggestion as to whether a vulcanized latex would be operational for the purposes of Watanabe et al. If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Accordingly, the Applicant believes that the Examiner's *prima facie* case of obviousness fails.

The Applicants believe that the above remarks overcome all of the Examiner's rejections. Therefore, the Applicants request that the Examiner withdraw the rejections and issue a Notice of Allowance.

No petition or fee is believed due for the filing of this response. Any necessary petition should be considered provisionally made and any fee should be charged to Deposit Account 23-2053.

Respectfully submitted,



Alan E. Wagner
Reg. No. 45,188

January 18, 2016

ADDRESS:

WHYTE HIRSCHBOECK DUDEK S.C.
555 East Wells Street, Suite 1900
Milwaukee, WI 53202
414-273-2100
Customer No. 022202